IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 18TH DECEMBER 2006 / 27TH AGRAHAYANA 1928

OP.No. 15627 of 1998(I)

PETITIONER:

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1) DR.K.NANOO
CIVIL SURGEON,
KOZHENCHERRY.

2) DR.K.RAGHAVAN
CIVIL SURGEON,
SUPERINTENDENT, GOVERNMENT HOSPITAL
PUNALUR.

3) DR.D.VIMAL RAJ
CIVIL SURGEON,
(ON DEPUTATION FOR HIGHER STUDIES,
ENT DEPARTMENT, MEDICAL COLLEGE HOSPITAL,
THIRUVANANTHAPURAM).

BY ADV. SRI.K.P.DANDAPANI

RESPONDENTS:

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1. STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT,
HEALTH & FAMILY WELFARE (SPECIAL CELL) DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF HEALTH SERVICES
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT. SHAKEELA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 18/12/2006 ALONG WITH OP NO. 25472 OF 1999 OP NO. 7869 OF 1999 OP NO. 2081 OF 2000, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON 27785 OF 1998 & C.M.P.NO.25722 OF 2000 IN OP NO.25472 OF 1999/G

DISMISSED

18.12.06 SD/- KURIAN JOSEPH, JUDGE

APPENDIX

PETITIONER'S EXHIBITS:

EXT. P1: COPY OF RELEVANT EXTRACT OF ORDER, G.O.(MS) NO.169/90/H&FWD DATED 25.8.1990 OF THE 1ST RESPONDENT.

EXT. P2: COPY OF RELEVANT EXTRACT OF ORDER, G.O.(MS)NO.180/90/H&FWD DATED 20-9-1990.

EXT. P3: COPY OF JUDGMENT OF THE HONOURABLE HIGH COURT OF KERALA RENDERED IN OP NO.8840/95 B ON 5.3.1998.

EXT. P4: COPY OF REPRESENTATION SUBMITTED BY THE 3RD PETITIONER BEFORE THE 2ND RESPONDENT ON 24.9.97.

EXT. P5: COPY OF ORDER NO.52982/DCP1/97/H&FWD DATED 3.6.1998 OF THE 1ST RESPONDENT ISSUED TO THE 2ND RESPONDENT.

/TRUE COPY/

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KURIAN JOSEPH, J.

O.P.Nos.15627/98, 7869/99, 25472/99 & 2081 of 2000

Dated 18th December, 2006.

J U D G M E N T

Petitioners approached this Court with certain grievances regarding their seniority and promotion. It is submitted that during the pendency of these writ petitions, petitioners as well as the party respondents have retired from service. Therefore, what survives is only the claim for retrospective promotion. It will be open to the aggrieved petitioners to pursue the matter before the Government, in which case, the matter will be duly considered with notice to such petitioners and other affected parties, if any, and appropriate orders in accordance with law will be passed within another four months. It is made clear that in that view of the matter, I have not considered the writ petitions on merits and the contentions are left open.

The writ petitions are disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.Nos.15627/98, 7869/99, 25472/99 & 2081 of 2000

J U D G M E N T

Dated 18th December, 2006.